

Appln. No. 10/016,068  
Amdt. date September 5, 2003  
Reply to Office action of March 6, 2003

**REMARKS/ARGUMENTS**

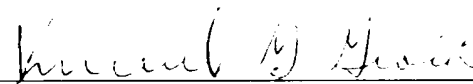
The Office action dated March 6, 2003 has been reviewed and the comments therein carefully considered. In the Office action, various questions and issues are raised concerning the description of the new variety. By the accompanying Substitute Specification, Applicant has made a *bona fide* attempt to address all these issues and questions with information available.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are earnestly solicited. If any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Vincent G. Gioia

Reg. No. 19,959

626/795-9900

VGG/llb

Enclosures

Substitute Specification (Marked-up Copy)

Substitute Specification (Clean Copy)

Petition for Extension of Time

Check for \$465

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SUBSTITUTE SPECIFICATION  
(Marked-up Copy)

1 47498/VGG/C614

HYBRID TEA ROSE PLANT NAMED 'FRIVOLOUS PINK'

5 CLASSIFICATION

The present invention relates to a new *Rosaceae* plant.

VARIETY DENOMINATION

10 The new plant has the varietal denomination 'FRIVOLOUS  
PINK'.

BACKGROUND OF THE INVENTION

15 The present invention relates to a new and distinct variety  
of rose plant of the hybrid tea rose of the genus *Rosaceae* which  
was created by crossing as seed and pollen parents two (2)  
unknown rose varieties. The varietal denomination of the new  
variety is 'FRIVOLOUS PINK'.

SUMMARY OF THE INVENTION

20 Among the novel characteristics possessed by this new  
variety which distinguishes it from other varieties of which I  
am aware, is its pink flowers.

25 Asexual reproduction by propagation by budding of the new  
variety as performed in Wasco, California shows that the  
foregoing and other distinguishing characteristics come true to  
form and are established and transmitted through succeeding  
propagations.

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BRIEF DESCRIPTION OF ILLUSTRATION

5 The accompanying illustration shows typical specimens of the  
flowers and foliage of the new variety depicted in color as  
nearly true as it is reasonably possible to make the same in a  
color illustration of this character.

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DESCRIPTION OF THE NEW VARIETY

5 The following is a detailed description of 2-year budded plants of the new variety , with color terminology in accordance with *The Royal Horticultural Society Colour Chart* (RHSCC). The terminology used in color description herein refers to plate numbers in the aforementioned color chart. Phenotypic expression may vary with light availability, environmental and cultural  
10 conditions.

The following observations are made of specimens grown outdoors in Wasco, California, during the month of November budded on 'DR. HUEY' understock.

PLANT

15 Form: Compact  
Growth: Medium  
Size: Height about 3 1/2 feet;  
width about 2 feet  
20 Foliage  
Size: Terminal leaflet length  
~~length~~ about 2 9/16 inches;  
width about 1 3/8 inches  
Quantity: ~~About 5~~ Usually 5 leaflet  
25 leaves, sometimes 7 leaflet  
leaves  
Color  
New foliage: Upper side near 175A; under  
side near 175C  
30 Mature foliage: Upper side near 137A; under  
side near 137C  
Shape: Elliptic  
Texture  
35 Upper side: Smooth, semi-glossy

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	Under side:	Matte
	Edge:	Serrated
5	Serration:	Slight
	Petioles:	Top surface color near 143B; Under side near 144B
	Stipules:	Normal
10	Rachis:	Few prickles
	<del>Variegation:</del>	<del>None</del>
	<del>Veination:</del>	<del>None</del>

WOOD

15	New shoots	
	Bark:	Smooth
	Wood:	Near <del>46A</del> <u>143C</u>
	Old wood	
	Bark:	Smooth
20	Wood:	Near 141C
	Flowering stem:	Length about <del>[[3]]</del> <u>16</u> inches
	Winter Hardiness:	Completely winter hardy
	Resistance to Disease:	Average
25	<del>Temperature range:</del>	<del>Between 16° and 120° F</del>
	<del>Internode spacing:</del>	<del>Usual</del>
	Preferred growing conditions:	Full sun
30	Growth habit:	Medium vigor
	Leaves per stem:	About 5
	<u>Prickles/Thorns:</u>	<u>Thorns about 3/16 inch long,</u> <u>near 143C</u>

FLOWER/INFLORESCENCE

35	Blooming Habit:	Recurrent
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	Bud	Length about 2 inches; width about 1 1/4 inches
5	Form:	Classic rose
	Color:	Before sepals divide color near 56A; when sepals first divide color near 55B; when petals begin to unfurl color near 55C
10	Sepals:	Long, thin on ends, <u>usually 5 sepals per bloom, multiple serrated extensions</u>
15	Size:	Length in relation to bud, about 1 3/16 inches
	Color:	Topside near 145A; bottom near 145B
	Peduncle	
20	Length:	About 2 3/4 inches, <u>smooth</u>
	Strength:	Erect
	Color:	Near 147B
	Flower	
25	Size:	About 4 inches
	Borne:	Multiple blooms in sprays, <u>usually about 5 to 6 blooms per spray</u>
30	Form:	High centered, opens very flat <u>with age</u>
	Petalage:	About 20, <u>petals are fan- shaped</u>
	Petaloids in center:	About 3
35	Fragrance:	Slight

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5                      Color

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Shape: Round

5 Size: About 1/2 inch

Color: Near 147B

Seeds: No seeds

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I CLAIM:

5 A new and distinct Hybrid Tea Rose plant of the variety  
substantially as shown and described.

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ABSTRACT

5 A new and distinct Hybrid Tea Rose plant variety with pink  
flowers.

10 ~~VGG/vat~~ VGG/11b

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